

REMARKS

Claim 13 has been canceled. Claims 1-12 remain pending in this application. Claims 1, 4, and 12 have been amended. Applicant refers to Figs. 9 and 10 and the corresponding description in the specification for an illustrative embodiment and supporting material for the amendments to claims 1 and 4. Claim 12 was amended for formality. Thus, no new matter has been added.

The Examiner objected to the drawings for failing to comply with 37 CFR 1.84(p)(5) because they include reference characters m1, m2, m3 that are allegedly not described in the specification. Applicant refers the Examiner to the Response filed November 2, 2004 wherein the specification beginning at page 2, line 14 was amended to correspond to the changes made to Fig. 1 to properly describe the reference characters m1, m2, and m3. Applicant respectfully requests that the Examiner withdraw this objection.

The Examiner objected to claim 12 for alleged informalities. Applicant amended claim 12 to correct the noted informalities.

The Examiner rejected claims 5 and 6 under 35 U.S.C. § 112, ¶ 1, for allegedly failing to comply with the enablement requirement.

In particular, the Examiner rejected claims 5 and 6 because they allegedly recite features that are inconsistent with the specification—namely, that “the second bearer service has (1) associated delays A and A’ and (2) allocated delays B and B’.” (Page 4, lines 20-21 of the

Office Action). Applicant respectfully points out that claim 5 does not read inconsistently with the specification as characterized by the Examiner.

Claim 5 recites, in part, "integrating a first bearer service in which delays A ($0 \leq A \leq T$) and A' ($=T-A$) are associated with a second bearer service in which delays B ($0 \leq B \leq T$) and B' ($=T-B$) are associated..." (Emphasis added) It is, therefore, consistent with the description in page 13, line 26 to page 16, line 36 of the specification. Accordingly, applicant requests that the Examiner withdraw the rejection.

The Examiner rejected claims 1-5 and 7 under 35 U.S.C. § 103(a) as being allegedly unpatentable over AAPA (Applicant's Admitted Prior Art) in view of Dupuy (U.S. Patent No. 5,430,774). In response, applicant amended independent claims 1 and 4 in a good faith effort to further clarify the claimed invention as distinguished from the applied references. The Examiner's rejection is, therefore, respectfully traversed.

Amended claims 1 and 4 recite, in part,

"wherein the delay A is allocated in the sending side as a frame offset and the delay A' is allocated in the receiving side;

...

wherein the delay B is allocated in the sending side as a frame offset and the delay B' is allocated in the receiving side." (Emphasis added)

The Examiner has acknowledged that the AAPA does not disclose "delaying bearer service data by one or more frame periods by allocating delays A ($0 \leq A \leq T$) and A' ($=T-A$) between the sending side and a receiving side," and relies upon Dupuy as a combining reference

for the claim rejection. Applicant reiterates that Dupuy merely describes a transceiver inserting transmission delays to eliminate transmission gaps arising from varied transmission sequences. (Fig. 2 and col. 3, line 34 to col. 4, line 4 of Dupuy). As such, applicant respectfully submits that even assuming, arguendo, that it would be obvious to the skilled artisan to combine the references in the manner proposed by the Examiner, the combination would fail to teach or suggest "the delay A is allocated in the sending side as a frame offset and the delay A' is allocated in the receiving side...the delay B is allocated in the sending side as a frame offset and the delay B' is allocated in the receiving side." as recited in amended claims 1 and 4. (Emphasis added) Applicant, therefore, further submits that independent claims 1 and 4, together with claims 2-3, 5, and 7 dependent therefrom, are patentable over AAPA and Dupuy individually and in combination.

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over AAPA (Applicant's Admitted Prior Art) in view of Edem et al. (U.S. Patent No. 5,559,796). The Examiner's rejection is respectfully traversed.

The Examiner cited the Abstract and col. 2, line 51 to col. 3, line 8 of Edem et al. in maintaining the §103 rejection. The cited portions of Edem et al. appear to describe a technique for eliminating variable delays resulting from transmitting data over a data network by sending delay information from a transmitter to a receiver of a data transmission, where the receiver reconstructs the relative timing of data packets to simulate their relative timing before transmission, and thus eliminating the variable delays resulting from transmission. (please see also Figs. 6, 8, 12A-E and their corresponding description in Edem et al.) As shown in Figs.

12A-E of Edem et al., the technique disclosed therein appears to merely address removing variable delays between data packets on a data stream.

Applicant respectfully submits that Edem et al., as cited and relied upon by the Examiner, fails to teach or suggest delaying "each bearer frame of one or more bearer services input before bearer integration timing up to each frame offset timing" and "each bearer frame of the one or more bearer services input after bearer integration timing up to frame offset timing for bearer integration" at a "send delay adding part", and delaying "each bearer frame of the one or more bearer services input before bearer integration timing up to reference frame timing" and "each bearer frame of the one or more bearer services output from said bearer data separation part after bearer integration timing up to reference frame timing" at a "receive delay adding part," as recited in claim 12. (Emphasis added)

Advantageously, the send delay adding part of the claimed invention synchronizes with reference frame timing so that each bearer frame is delayed by a frame offset, and, accordingly, the receive delay adding part synchronizes with reference frame timing.

Therefore, even assuming, arguendo, that it would be obvious to the skilled artisan to combine the references in the manner suggested by the Examiner, the combination would fail to teach or suggest the above features recited in claim 12. Accordingly, applicant respectfully submits that claim 12 is patentable over AAPA and Edem et al. individually and in combination.

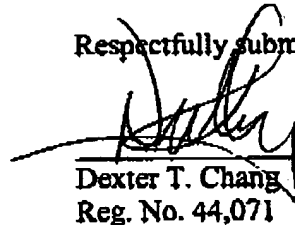
Applicant acknowledges with appreciation Examiner's indication that claims 8-11 are allowable, and submits that the reasons provided by the Examiner are non-exclusive, non-exhaustive, and in no way limit the scope thereof.

Statements appearing above in regard to the cited references represent the opinions of Applicants' undersigned attorney and, if the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner indicate specifically where in the references there is a basis for a contrary view.

It is respectfully submitted that the present claims are in condition for allowance. Accordingly, favorable reconsideration of this case and early issuance of a Notice of Allowance are respectfully requested.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted



Dexter T. Chang
Reg. No. 44,071

CUSTOMER NUMBER 026304

PHONE: (212) 940-8800/FAX: (212) 940-8986
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